

**FEDERAL COMMUNICATIONS COMMISSION**  
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**WASHINGTON DC 20554**

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April 23, 2009

Dorann Bunkin, Esq.  
Wiley Rein LLP  
1776 K Street NW  
Washington, DC 20006

Re: WNVR(AM), Vernon Hills, Illinois  
Facility Identification Number: 52910  
Polnet Communications, Ltd.  
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed April 20, 2009, on behalf of Polnet Communications, Ltd. ("Polnet"). Polnet requests special temporary authority ("STA") to operate Station WNVR with parameters at variance and/or reduced power while maintaining monitor points within licensed limits.<sup>1</sup> In support of the request, Polnet states that the station's sampling lines and other coaxial cables were destroyed by fire on April 1, 2009. Polnet states that completion of repairs will require a few months.

Accordingly, the request for STA IS HEREBY GRANTED. Station WNVR may operate with parameters at variance and/or reduced power while maintaining monitor points within licensed limits. It will be necessary to further reduce power or cease operation if complaints of interference are received. Polnet must notify the Commission when licensed operation is restored.<sup>2</sup> Polnet must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310. Due to the fire damage, it will be necessary to file an amendment to Application BL-20090410AWM (see Note 1, below) following completion of repairs.

This authority expires on **October 23, 2009**.

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<sup>1</sup> WNVR is licensed for operation with 5 kW daytime, 3.2 kW critical hours and 0.12 kW nighttime, employing different directional antenna patterns (DA-3-U). Construction Permit BP-20070725 AEZ authorizes an increase in daytime power to 10 kW. Application BL-20090410AWM, for license to cover the permit, is pending.

<sup>2</sup> *See* 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b).

**STA Advisory:** Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles N. Miller", with a long horizontal flourish extending to the right.

Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: Polnet Communications, Ltd.